

Serial No. 10/632,054
Examiner Phyllis G. Spivack

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REMARKS

Claims 1-29 are pending in the application. Restriction is required to one of the following allegedly distinct inventions:

I. Claims 1-18, drawn to an implantable or insertable medical device, class 424, subclasses 422+;

II. Claims 19-27, drawn to a method of forming the claimed implantable or insertable medical device, classified in Class 424, subclass 422+;

III. Claim 28, drawn to methods to provide an increase in the cumulative release of a therapeutic agent from a medical device, Class 427, subclass 1+;

IV. Claim 29, drawn to methods of identifying an implantable or insertable medical device for which increased release is desired, classified in Class 427, subclass 1+.

Applicants hereby elect the Group I claims, Claims 1-18, for initial prosecution on the merits.

Pursuant to 35 U.S.C. 121, election of a single disclosed species for prosecution on the merits is also required. The species listed in the Office Action are as follows:

Claim 7: a catheter, a guide wire, a balloon, a filter, a stent, a stent graft, a vascular graft, a vascular patch and a shunt;

Claims 14-18: distinct polymeric agents.

Applicants hereby elect the following Species:

Claim 7, a stent.

Claims 14-18, polystyrene-polyisobutylene-polystyrene triblock copolymer.

Claims 1-14 and 16-18 of Group I read upon the elected species.

Applicant notes that upon allowance of a generic claim, Applicant will be entitled to consideration of claims to additional species provided by 37 C.F.R. 1.141.

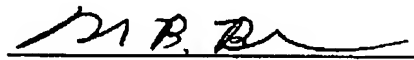
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The election is respectfully made with traverse, because it is believed that a search and examination of the entire application can be made without serious burden.

Should the Examiner be of the view that an interview would expedite consideration of the application, request is made that the Examiner telephone the Applicants' attorney at (703) 433-0510 in order that any outstanding issues be resolved.

The Office is authorized to charge any fees required, to deposit account number 50-1047.

Respectfully submitted,



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I hereby certify that this document and any document referenced herein is being sent to the United States Patent and Trademark office via Facsimile to: 571-273-8300 on Oct. 2, 2006.

David B. Bonham

(Printed Name of Person Mailing Correspondence)



(Signature)